

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ALLEN FOX, JR.,

Plaintiff,

No. 08-CV-14727-DT

vs.

Hon. Gerald E. Rosen

PENNY RODGERS, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S CLAIMS
AGAINST DEFENDANT ADRIENNE BECKHAM, WITH PREJUDICE

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 28, 2010

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the January 12, 2010 Report and Recommendation of United States Magistrate Judge Mona K. Majzoub recommending that the Court grant the Motion to Dismiss filed by Defendant Adrienne Beckham for failure to exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a); and no timely objections to the R&R having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation and the Court's entire file of this action and having determined that Plaintiff's claims against Defendant Beckham should be dismissed, and being otherwise fully advised in the premises,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of January 12, 2010 is ADOPTED by the Court.

IT IS FURTHER ORDERED that, for the reasons stated by the Magistrate Judge, Defendant Beckham's Motion to Dismiss is hereby GRANTED. Accordingly,

IT IS FURTHER ORDERED that all claims asserted in Plaintiff's Complaint against Defendant Beckham are hereby DISMISSED, with prejudice.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 28, 2010

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Michael R. Dean; Wendy S. Hardt; Randall A. Juip; Michael R. Kluck; Anthony D. Pignotti; Brian J. Richtarcik, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Robert Fox, Jr., #208615, Parr Highway Correctional Facility, 2727 East Beecher Street, Adrian, MI 49221.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
(313) 234-5137